

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CR. NO. 7:13-cr-00070-3
	§	
FABIAN RODRIGUEZ	§	

MOTION TO ADVANCE SETTING

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Defendant **FABIAN RODRIGUEZ**, by and through his undersigned attorney of record, filing this, said Defendant's Motion to Advance Setting of the Arraignment set for January 17, 2013 at 11:00 a.m., in the above styled and numbered cause, respectfully showing the Court as follows:

I.

Attorney for Defendant, Eric S. Jarvis has a prior commitment and will be out of town beginning Tuesday, January 15, 2013 and will be unable to be present at the above Arraignment. Attorney is requesting that this Sentencing be advanced to Friday, January 11, 2013 or Monday, January 14, 2013, to enable counsel for Defendant to be present at his Arraignment.

II.

Attorney for Defendant has conferred with Attorney for the Government, and there is no opposition to the granting of this

Motion for Continuance.

III.

This Motion is not filed solely for the purpose of delay but in the interest of justice.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that the Motion for Continuance be in all things granted.

Respectfully submitted,

ERIC S. JARVIS
5804 N. 23rd St.
McAllen, Texas 78504
(956) 618-3211
(956) 687-4001 (fax)

BY: /s/ Eric S. Jarvis
ERIC S. JARVIS
ADMISSIONS I.D. #511706
STATE BAR #24012902
ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to Advance Setting was this 10th day of January, 2013, delivered to the office of the U.S. Attorney, Mr. James Sturgis and Mr. Anibal Alaniz, McAllen, Texas.

/s/ Eric S. Jarvis
ERIC S. JARVIS